2. In the present working of the system, the number of processes that are being returned unserved is increasing. The system of disbursement of batta now in vogue necessitates the deposit of batta twice or thrice, though the amount first deposited may not have been utilized. The revival of the old system is therefore necessary.

Reply of Government.—1. Will be considered after February 1909.

2. The Chief Court will enquire into this matter.

SUBJECT No. 46.

Judgments in civil courts to be delivered soon after the arguments close.

Mr. A. Narasimiah, Malvalli Taluk.

Summary of discussion.—In civil courts judgments are delivered long after the arguments are heard, which in many cases results in unfair judgments being passed. Orders may be issued directing the delivery of judgments soon after the arguments are heard.

Reply of Government.—The Chief Court has been taking action by requiring statements to be submitted showing the number of cases in which judgments have not been delivered within ten days of hearing arguments.

SUBJECT No. 47.

Employment of retired officers and officials as assessors, jurors and members of panchayets.

Mr. Hassan Ali Beg, Mysore City Municipality.

Summary of discussion.—The services of retired officers and officials who have still energy in them may be utilized as assessors, jurors and members of panchayets.

Reply of Government.—The Chief Court will select proper men as jurors. Retired officers are not exempt from service as jurors.

SUBJECT No. 48.

Recovery of costs from the aggrieved party in criminal appeal cases.

Messrs. Guru Rao and Padmannah, Nanjangud Taluk; Venkatasubbiah, Nanjangud Municipality.

Summary of discussion.—In taluk criminal courts the magistrates order the recovery of the costs of the complainant along with the fine imposed for an offence and pay the same to the complainant under Section 39 of the Court Fees Act. If on appeal the fine is excused, no provision is made for the recovery of the cost of appeal. It is therefore prayed that the necessary provision may be made for this also.

Reply of Government.—No change is desirable.

SUBJECT No. 49.

Delivery of the possession of immovable property through the revenue department from civil courts.

Messrs. Krishna Sastri, Mysore District Board, Nanjegowda and Rangasetti, Krishnarajpete Taluk.

Summary of discussion.—The delivery of possession of immovable properties to decree-holders in civil suits may be made through the revenue department to avoid complications that may arise if such delivery is made by the civil court servants, in the absence of the village servants and panchayets. Questions as to actual and symbolical possession crop up and lead to a multiplicity of suits.

Messrs. Subbanna and Raghavachar were of opinion that the existing practice caused no inconvenience, that as Amildars were not subordinate to civil courts the proposal, if adopted, would lead to great delay in the execution of decrees and that there would be the same difficulties about actual and symbolical possession.

Reply of Government.—No change is desirable.